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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

George Wallace, et al.

Docket: L3-032-2004-01

Serial Number: 10/802,655

Group Art Unit:

Filing Date Accorded: March 18, 2004

Examiner:

For: METHOD FOR CHANGING THE FREQUENCY FOR SAMPLING
SONAR WAVEFRONTS

PETITION FOR CORRECTED FILING DATE UNDER 37 CFR 1.10(d)

Commissioner For Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

On March 16, 2004, the undersigned filed the above identified patent application by mailing to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, under the procedures of 35 U.S.C. 1.10, Express Mail to Addressee, under Express Mail label no. ET116732213US.

The Express Mail package containing the application was personally picked-up in my office by the daily U. S. Postal Service carrier on March 16, 2004.

The usual procedure when I file a patent application by Express Mail is for the U. S. Postal Service carrier to pick up the package Express Mail containing the patent application in my office. The package is then processed at the post office branch in Skillman, New Jersey 08558, for entry date and time, fee, charging to my Express Mail Corporate account, entry into the bar-code tracking system, etc. The Express Mail receipt is then returned by the carrier with the next day's mail delivery. On this occasion, no receipt was returned to me by the U. S. Postal Service carrier.



When the post card receipt for this patent application was returned to me by the United States Patent and Trademark Office, I noticed that a filing date of March 18, 2004 was accorded instead of March 16, 2004.

A search of the U. S. Postal Service on-line tracking system for Express Mail at www.usps.gov (copy enclosed) indicates that the package containing the patent application was in their possession and enroute on March 17, 2004 and actually delivered to the United States Patent and Trademark Office on March 18, 2003.

The records of the Skillman, N.J. post office do not indicate acceptance of the above Express Mail package at their branch on March 16, 2004. Evidently the U. S. Postal Service carrier failed to properly enter and process the package as Express Mail and instead sent it through the postal system as regular mail. The package was bar-code scanned the next day March 17, 2004 at the U. S. Postal Service Newark Airport 07113 processing station. The actual Express Mail label was not filled out by the U. S. Postal Service until it was accepted at the Dulles, Virginia 20201 processing station on March 18, 2004 at 7:39 A.M. and delivered to the United States Patent and Trademark Office later that *same morning* on March 18, 2004 at 10:16 A.M. The Express Mail receipt was never returned to the undersigned, however, my Express Mail Corporate Account was charged for this item on March 18, 2004.

Copies of the U.S.P.S. report for on-line Express Mail tracking, United States Patent and Trademark Office post card receipt, Express Mail Corporate Account debit record are enclosed.

Also enclosed are copies of the following four records, which were kept by me in the ordinary course of business. They were made by me simultaneously with the application filing on March 16, 2004:




1. A copy of my Patent Application Transmittal letter with a 37 CFR 1.10 certificate signed by me for filing case docket number L3-032-2004-01 on March 16, 2004 under Express Mail label no. ET116732213US.
2. A copy of my United States Patent and Trademark Office outgoing mail/postcard return log entry showing the above new patent application docket L3-032-2004-01 being deposited as a 37 CFR 1.10 item on March 16, 2004. A later entry shows an incorrect post card filing receipt date of March 18, 2004 being accorded.
3. A copy of my letter to the client dated March 16, 2004 indicating the application having been sent to the USPTO for filing.
4. A copy of the outgoing postcard, with the removable Express Mail label tab no. ET116732213US attached to the copy, indicating that new patent application docket no. L3-032-2004-01 was associated with Express Mail label ET116732213US and mailed March 16, 2004.

In view of the above series of errors by the U. S. Postal Service, it is requested that the above patent application be accorded the corrected filing date of March 16, 2004.

It is believed that no petition fee is required for this submission, however, if such a fee is required, the Commissioner is authorized to charge deposit account 18-1589 for such fee.

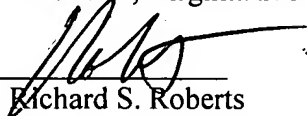
Respectfully submitted,



Richard S. Roberts
Reg. No. 27,941
P.O. Box 484
Princeton, New Jersey 08542
(609) 921-3500
Date: May 6, 2004



I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage pre-paid in an envelope addressed to Commissioner For Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on May 6, 2004.


Richard S. Roberts
Reg. No. 27941



"Express Mail" mailing label No. ET116732213US

Date of Deposit

3/16/2004

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner For Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450


RICHARD S. ROBERTS

PATENT APPLICATION TRANSMITTAL FORM

DOCKET NO. (Optional)
L3-032-2004-01

To the Commissioner for Patents:

Transmitted herewith for filing is the patent application of _____

GEORGE WALLACE and PAUL GREENE

entitled METHOD FOR CHANGING THE FREQUENCY FOR SAMPLING SONAR WAVEFRONTS

Enclosed are: 27 Pages of Specification, Claims and Abstract

- ☒ 2 sheets of drawings.
- ☒ Assignment recordation cover/assignment of the invention to: L3 COMMUNICATIONS CORP.
- ☒ Declaration of the inventors.
- ☐ a certified copy of a _____ application.
- ☐ associate power of attorney.
- ☐ a verified statement to establish small entity status under 37 CFR 1.9 and 1.27.
- ☒ Rule 56 information disclosure statement, PTO 1449; 5 References
- ☐ preliminary amendment.
- ☐ other: _____

	NUMBER FILED	NUMBER EXTRA	RATE	FEE
BASIC FEE			\$ 770.00	\$770.00
TOTAL CLAIMS	20-20=	0	\$ 18.00	0.00
INDEPENDENT CLAIMS	3-3=	0	\$ 78.00	0.00
ASSIGNMENT				40.00
*NUMBER EXTRA MUST BE ZERO OR LARGER			TOTAL	\$ 810.00

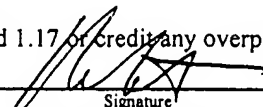
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☒ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. 18-1589
as described below. I have enclosed a duplicate copy of this sheet.

☐ Charge the amount of \$ _____ as filing fee.

☒ Charge any additional filing fees required under 37 CFR 1.16 and 1.17 of credit any overpayment.
March 16, 2004

Date _____
Address:
Roberts & Roberts, L.L.P.
P.O. Box 484
Princeton, New Jersey 08542-0484


Signature

Richard S. Roberts

Attorney Name

27,941

Reg. Number

(609) 921-3500

Phone



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

WALLACE, et al.

Docket: L3-032-2004-01

For: METHOD FOR CHANGING THE FREQUENCY FOR
SAMPLING SONAR WAVEFRONTS

Date Mailed: March 16, 2004

Please acknowledge receipt of:

Please acknowledge receipt of: Complete Patent Application as Above

27 pages of Specification/Abstract/Claims

2 sheets of drawings

Declaration/Pow of Atty - EXECUTED

Rule 56 Statement/PTO1449/ 5 References

Assignment/Cover Sheet

Transmittal

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MAILING DATE	PTO STAMPED DATE	Product	Document Sent	
3/8/04	3/10	30-4540D1	Appeal Brief	8u
3/9	3/9	14004602	Nat Phone US	10
3/10	3/15	00130-41620	PI Refel	8u
3/10	3/10	140049260	Response to Written Open	-
3/12	3/15	011-30-453	RC3 + 2/3 mo. ext	8u
3/16	3/18	14002480	Miss Parts	8u
3/16	3/18	L3-032-2004-01	New App	10
3/19	3/22	200-7	RCE + 2 mos	8u
3/19	3/22	200-6	Appeal Brief	8u
3/22	3/23	L3-11-1M	ITU	10
3/22	3/23	011-54-1M	ITU	10
3/24	3/26	EV-30-45350	RCE + 3 mos	8u
3/25	3/29	14006488	Miss Parts	8u
3/25		011-4190010	RCE + 1 mo.	8u
3/26	3/29	200-47505	Issue No Appeal	8u
4/5	4/8	200-10	IDS	8u
4/5	4/8	L3032-88-201	Issue Fee	8u
4/7	4/8	011-55-709	New App	10
4/7	4/12	14002238	IDS	8u
4/9	4/12	200-10	Miss Parts	8u
4/9	4/12	011-45-1M	First Appeal	10
4/14	4/19	30-4677	Re for Record	8u
4/15	4/15	30-4677	Dulinski	10
4/20	4/22	30-4540	Re for Record / Draft	8u
4/21	4/21	14006476	New App	10
4/27		011-1-1M	Sat 8/15	8u
4/27		011-39-1M	Sq ure	8u
4/29		30-4731D1	Reply Brief	8u
4/30		14004524	New App	10
5/3		011-37	IDS	8u
5/4		011-1629	Issue Fee	8u

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Track & Confirm

Shipment Details

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Your item was delivered at 10:16 am on March 18, 2004 in
ALEXANDRIA, VA 22313 to PATENT OFFICE. The item was signed for
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Here is what happened earlier:

- ARRIVAL AT UNIT, March 18, 2004, 8:11 am, DULLES, VA 20102
- ACCEPTANCE, March 18, 2004, 7:39 am, DULLES, VA 20102
- ENROUTE, March 17, 2004, 6:49 pm, ZIP Code 07113

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← at Dulles on 3/18/04
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03/02/04		EU418802122US	08553	22313		13.65					
03/09/04		ET116732235US	08558	22313		13.65					
03/10/04		ET116732227US	08558	22313		13.65					
03/18/04		ET116732213US	20102	22313		13.65					
03/22/04		ET116732403US	08558	22202		13.65					
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TOTAL (A + B - C):						95.55	0.00	0.00			
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RICHARD S. ROBERTS
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WWW.ROBERTSPATENT.COM

PATENTS, TRADEMARKS
AND COPYRIGHTS

COURIER ADDRESS
81 TAMARACK CIRCLE
SKILLMAN, N.J. 08558

Writer's E-Mail: rroberts@robertspatent.com

March 16, 2004

Mr. James Hammond
L3 Communications Corporation
15825 Roxford Street
Sylmar, California 91342

Re: New Patent Application L3-032-2004-01

Dear Jim,

enclosed please find the final version of the above identified patent application which has been sent to the USPTO for filing. The title is "METHOD FOR CHANGING THE FREQUENCY FOR SAMPLING SONAR WAVEFRONTS" and the inventors are George Wallace and Paul Greene. Also enclosed are a signed Declaration/Power of Attorney, Assignmetn, Assignment Recordation Cover, Transmittal, Rule 56 Statement, form PTO-1449 listing 5 references cited as filed with the USPTO. I will let you know when the serial number is obtained. Should you have any questions, please call.

Thank you.

Very truly yours,

Richard S. Roberts

RSR/la

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

WALLACE, et al.

Docket: L3-032-2004-01

For: METHOD FOR CHANGING THE FREQUENCY FOR
SAMPLING SONAR WAVEFRONTS

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2 sheets of drawings

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Assignment/Cover Sheet

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